

REMARKS

Revocation of Power of Attorney

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also being submitted herewith.

Claim Rejections

Claims 1-5 and 11-12 are rejected under 35 U.S.C. § 112, first paragraph. Claims 1 and 3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Agajanian (U.S. 4,123,080). Claims 1-4, 6-7, and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Muhammad (U.S. 4,230,330). Claims 5 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable by Muhammad.

Drawings

Applicant proposes to amend Figure 1, as illustrated in red on the attached photocopy. In Figure 1 it is proposed to add the label --PRIOR ART--. No "new matter" has been added to the original disclosure by the proposed amendment to this figure. It is believed the foregoing proposed amendment obviates the outstanding objection to the drawings. Approval of the proposed drawing change is respectfully requested.

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, except for the above proposed drawing correction, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-12 and has added new claims 13-20 to this application. It is believed that the new claims specifically set

forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

It is submitted that the claimed subject matter is described in Applicant's specification in sufficient detail to enable one having ordinary skill in the art to make and use Applicant's invention without undue experimentation. It is believed that Applicant's specification discloses how to make and use the claimed invention.

The new claims are directed toward a skateboard with a vibration-absorbing function comprising: a platform (2) having two platform connecting sections (25); a coupling stage (21) located on a bottom of the platform; two swing members (3), each of the two swing members pivotally connected at a first swing member end to the coupling stage and having a swing member connecting section (32); two resilient members (4), each of the at least two members located between one of the two platform connecting sections and the swing member connecting section of one of the two swing members; and two wheel sets (6), each of the two wheel sets is located below the swing member connecting section of one of the two swing members.

Other embodiments of the present invention include: at least one of the two swing members has a braking section (5) located on a second end thereof; each braking section includes a base (51) and a rotor (52); each of the two swing members has a retaining rod (33) extending from the first end and limiting a pivotal movement thereof by engaging a confining section of the coupling stage; a plurality of supporters (211) embedded in the platform; each of the two resilient members includes at least one spring; each of the two resilient members includes a flexible dust cover (40); and each of the two resilient members includes an air sac.

The primary reference to Agajanian discloses a skateboard including a platform (12), a suspension device (52) connected by two bolts (56) to a bottom of the platform and having two cylindrical rods (62) located between the platform and a suspension device.

Agajanian does not teach a platform having two platform connecting sections; two resilient members, each of the at least two members located between one of the two platform connecting sections and the swing member connecting section of one of the two swing members; at least one of the two swing members has a braking section located on a second end thereof; each braking section includes a base and

a rotor; each of the two swing members has a retaining rod extending from the first end and limiting a pivotal movement thereof by engaging a confining section of the coupling stage; a plurality of supporters embedded in the platform; each of the two resilient members includes at least one spring; each of the two resilient members includes a flexible dust cover; nor does Agajanian teach each of the two resilient members includes an air sac.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Agajanian does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Agajanian cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The secondary primary reference to Muhammad discloses a skateboard including a board (12) and a chassis (14) rotatably connected to the board.

Muhammad does not teach a platform having two platform connecting sections; each of the at least two members located between one of the two platform connecting sections and the swing member connecting section of one of the two swing members; each of the two swing members has a retaining rod extending from the first end and limiting a pivotal movement thereof by engaging a confining section of the coupling stage; a plurality of supporters embedded in the platform; each of the two resilient members includes at least one spring; each of the two resilient members includes a flexible dust cover; nor does Muhammad teach each of the two resilient members includes an air sac.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Muhammad does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Muhammad cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that neither Agajanian nor Muhammad disclose, or suggest any modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Agajanian or Muhammad render obvious any of Applicant's new claims under 35 U.S.C. § 103.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: November 29, 2004

By:



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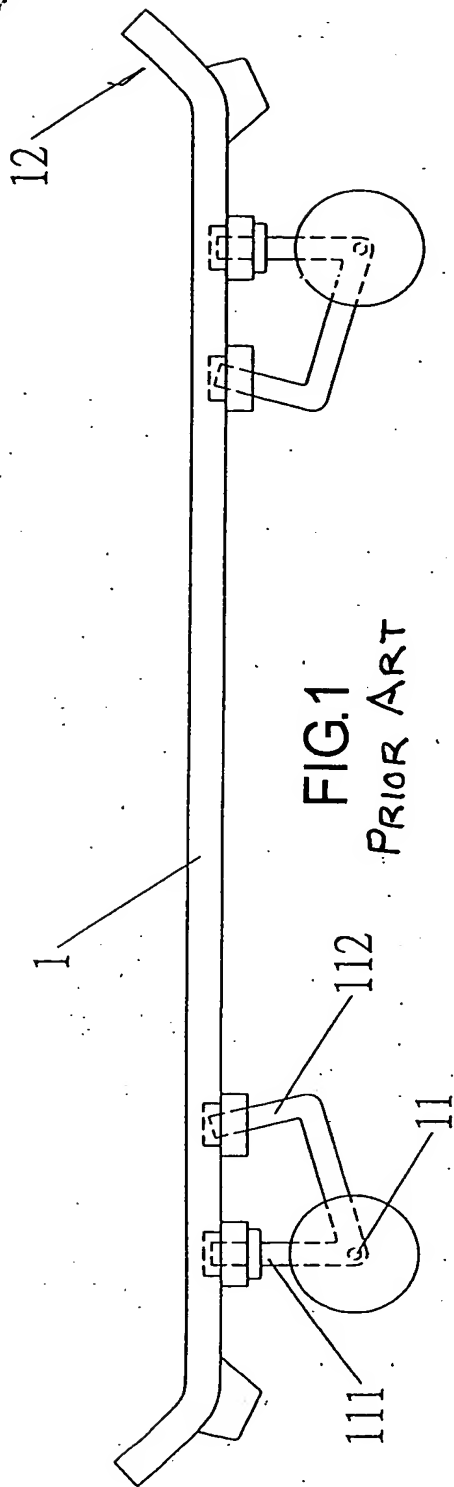


FIG. 1
PRIOR ART

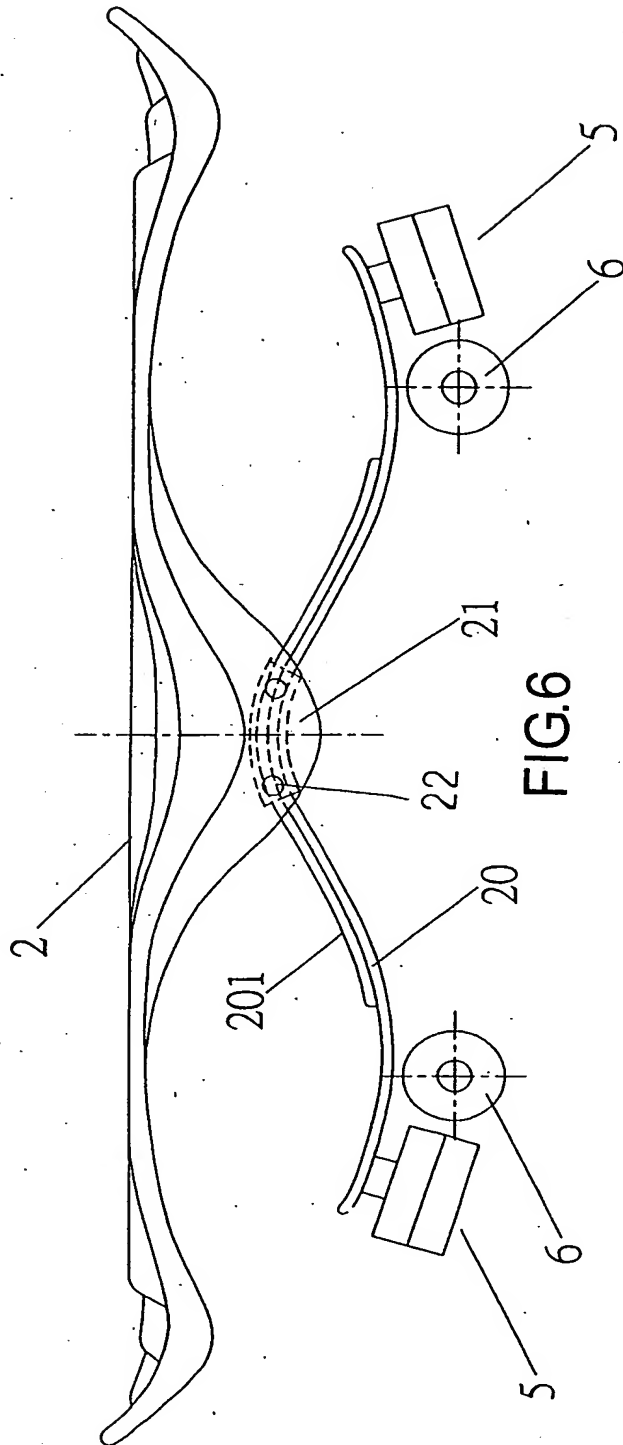


FIG. 6